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Minutes of the June 1, 2010 meeting of Advisory Neighborhood Commission 1-D

These minutes accepted at the June 15, 2010 meeting.

Call to order

[7:05 pm] Chair Edwards called the meeting to order. Present were ANC1D commissioners Edwards, Scott, Bosserman, Tunda, and McKay, constituting a quorum. This being an informal meeting, business consisted of only two time-critical issues, after which the meeting would be turned over to public discussion.

Early opening for World Cup for liquor licensees

[7:06 pm] Gregg introduced the following resolution:

Resolved, ANC 1D advises the DC Alcoholic Beverage Control Board and Alcoholic Beverage Regulation Administration to support a temporary change in hours for Mt Pleasant CR, CT and CN licensees during the World Cup soccer meet this year. This means at least the following provisions:

- * Applies only for the approximately 30 day period of World Cup.
- * Opening allowed as early as 7:00 am.
- * Liquor sales allowed as early as 7:30 am Monday to Saturday, 9:00 am Sunday, or the earliest

Resolution passed, 5 to 0.

ANC 1D roll up resolution on Don Juan's live music entertainment

[7:09 pm] Gregg introduced the following resolution:

Resolved, ANC 1D advises the Alcoholic Beverage Control Board to accept the following list of resolutions as a roll-up of previous 1D resolutions which apply in some way to the Don Juan's application for live music entertainment, and to the reasons why the neighborhood would be improved by termination of the MPNA voluntary agreement. Because of the first resolution noted (2005 05 03), earlier resolutions do not apply. 1D's resolutions over several years converged to a recommended Cooperative Agreement in two versions, A& B.

One purpose of this “roll-up” of past resolutions into a single current compilation is to assert that it is the intent of 1D that general resolutions which did not specify application to Don Juan's were and now are intended to do so.

A second purpose is to pull out of the previous versions of the resolutions the specific points that by the ANC law must be addressed by ABC in particularity from the perspective of this ANC, and if ABC is not persuaded, then ABC must specify the evidence and why that evidence outweighs that presented by this ANC.

A third purpose is to lay out 1D’s conclusions, after about two dozen public meetings and discussion, that ABC's old approach of considering only specific features of a license should be superseded by one that considers impacts on Peace, Order, and Quiet and other neighborhood conditions as an integrated pattern.

This resolution incorporates by reference the last compilation of 1D's Cooperative Agreement in two versions A& B, seen in the appendix. This CA is needed as an institutional context for live entertainment and constraints.

Finally, 1D advises ABC to consider this case to be a new case, on three grounds: This case is at the Order of the DC Court of Appeal and not arising out of ABC’s offer of a rehearing. The Order did not limit the time window of ANC 1D resolutions. The Order doesn’t refer to impacts on the Mt Pleasant neighborhood at an earlier date, but apparently now.

(The “roll-up” is in document [2010-0601 ANC 1D resolution on Don Juans.pdf](#).)

Resolution passed, 4 to 1 (Jack voting “no”).

Public discussion

[7:13 pm] The remainder of the meeting was devoted to public discussion. Commissioner Lepanto arrived at 7:35 pm.

Adjournment

[8:47 pm] By unanimous consent, the meeting was adjourned at 8:47 pm.